

Practitioner's Docket No. 576.02-US

CHAPTER II

**TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

PCT/US99/11693	26 May 1999 (26.05.99)	28 May 1998 (28.05.98)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: OPTICAL METHOD AND APPARATUS FOR DETERMINING FERTILITY STATUS

APPLICANT(S): Duo Management International, LLC; MOON, Margaret E.; VAUGHAN, Sheila C. and RAFFENSPERGER, Susan M.

**Box PCT**  
**Assistant Commissioner for Patents**  
**Washington D.C. 20231**  
**ATTENTION: EO/US**

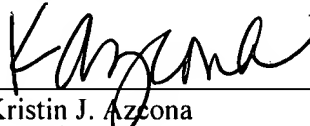
1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. section 371:

**CERTIFICATION UNDER 37 C.F.R. section 1.10\***

*(Express Mail label number is mandatory.)*

*(Express Mail certification is optional.)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date **November 28, 2000**, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL605629275US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Kristin J. Azcona

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).  
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

- a. This express request to immediately begin national examination procedures (35 U.S.C. section 371(f)).

2. Fees

CLAIMS FEE*	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
BASIC FEE	TOTAL CLAIMS	14 - 20 =	0	x \$18.00 =	\$0.00
	INDEPENDENT CLAIMS	1 - 3 =	0	x \$78.00 =	\$0.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260				\$0.00
	Claims meet PCT Article 33 (1)-(4) – IPEA - US				\$100.00
	Total of above Calculations				= \$100.00
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed (note 37 CFR 1.9, 1.27, 1.28).				- \$50.00
	Subtotal				\$50.00
	Total National Fee				\$0.00
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item below). See attached "ASSIGNMENT COVER SHEET".				\$0.00
TOTAL	Total Fees enclosed				\$50.00

3. A copy of the International application as filed (35 U.S.C. section 371(c)(2)) is not required, as the application was filed with the United States Receiving Office.

4. A translation of the International application into the English language (35 U.S.C. section 371(c)(2)) is not required as the application was filed in English.

5. Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. section 371(c)(3)) are transmitted herewith.

6. A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. section 371(c)(3)) is not required as the amendments were made in the English language.

7. A copy of the international examination report (PCT/IPEA/409) is not required as the application was filed with the United States Receiving Office.

8. Annex(es) to the international preliminary examination report is/are not required as the application was filed with the United States Receiving Office.

# TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

444 Rec'd PCT/PTO 28 NOV 2000  
 Date  
 International Application  
 Attorney Docket No. 576.02-PCT 09/701707

## I. Certification under 37 CFR 1.10 (if applicable)

EL315365694US  
 Express Mail mailing number

26 May 1999  
 Date of Deposit

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Rebecca Waian  
 Signature of person mailing correspondence

Rebecca Waian  
 Typed or printed name of person mailing correspondence

## II. ☒ New International Application

TITLE OPTICAL METHOD AND APPARATUS FOR DETERMINING FERTILITY STATUS

Earliest priority date (Day/Mon/Year)  
 28 May 1998 (28.05.98)

**SCREENING DISCLOSURE INFORMATION:** In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was not made in the United States.  
 B. ☐ There is no prior U.S. application relating to this invention.  
 C. ☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority.)

COPY

application no.	60/086,987	filed on	28 May 1998 (28.05.98)
application no.		filed on	

- D. ☐ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The additional subject matter is found on pages  and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15

## III. ☐ A Response to an Invitation from the RO/US. The following document(s) is(are) enclosed:

- A. ☐ A Request for An Extension of Time to File a Response  
 B. ☐ A Power of Attorney (General or Regular)  
 C. ☐ Replacement pages:

pages		of the request (PCT/RO/101)	pages		of the figures
pages		of the description	pages		of the abstract
pages		of the claims			

- D. ☐ Submission of Priority Documents

Priority document		Priority document	
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- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

## IV. ☐ A Request for Rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

## V. ☐ Other (please specify):

The person signing this form is the:

☐ Applicant  
☒ Attorney/Agent (Reg. No.) 33880  
☐ Common Representative

Robert D. Fish  
 Typed name of signer  
 Signature

Attorney's Docket No. 576.02-PCT

IN THE INTERNATIONAL BUREAU OF WIPO

International Application Number PCT/US 99/11693	International Filing Date 26 May 1999	Earliest International Priority Date Claimed 28 May 1998
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Title Of Invention: Optical Method and Apparatus for Determining Fertility Status

Applicant(s): Duo Management International, LLC

International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No: +41-22-910-06-10

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the International Bureau of WIPO at +41-22-910-06-10 on the date shown below.

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))

I hereby declare that I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EL315366173US, addressed to "International Bureau of WIPO, 34, chemin des Colombettes, 1211 Geneva 20, Switzerland, and having an express mail certification that I executed, the following papers:

Response to Search Report (5 Sheets), Substitute Claims (1 Sheets)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date:

11/2/99

Kristin L. Jonkman

